

U.S. Application Serial No. 10/733,206
Attorney Docket: 48332-0001
Reply to Office Action of September 19, 2005

AMENDMENTS TO THE DRAWINGS

The attached sheets of drawings include changes to Figures 1-3 and 5 and replace the original sheets. In each of these Figures, previously unlabeled element 18 has been labeled.

Attachment: Replacement Sheets
Annotated Sheets Showing Changes

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REMARKS

This Amendment and Response is in response to the Office Action dated September 19, 2005 wherein the Examiner:

(i) rejected claims 1-7 and 16 under 35 U.S.C. § 102(b) as being anticipated by Hanson (U.S. Patent No. 5,400,212) ("Hanson");

(ii) rejected claims 8-15 under 35 U.S.C. § 103(a) as being unpatentable over Hanson as applied to claim 1 above, and further in view of Nickola (U.S. Patent No. 3,614,538) ("Nickola").

Applicant has thoroughly reviewed the outstanding Office Action including the Examiner's remarks and the references cited therein. The following remarks are believed to be fully responsive to the Office Action and, when coupled with the amendments made herein, are believed to render all claims at issue patentably distinguishable over the cited references.

All the changes are made for clarification and are based on the application and drawings as originally filed. It is respectfully submitted that no new matter is added. Applicant respectfully requests reconsideration and allowance of all of the pending claims in light of the above amendments and the following remarks.

Discussion of the Prior Art

The Examiner relies upon the Hanson and Nickola references to support his contention that the claims are not novel over the prior art. This reliance, however, is misplaced.

Neither Hanson nor Nickola disclose the limitation of a "second bracket comprising a first meter mounting portion and a second elongated portion extending substantially perpendicular to and extending away from said support member to space meter mounting portion from said electric power outlet and said first bracket to a predetermined distance, said predetermined distance comprising at least a minimum safe distance", as provided for by each of the claims at issue. The present invention comprises an improvement over the pedestal disclosed in Hanson, and is specifically directed to a preconstruction

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multiple utility meter pedestal that includes a bracket to which a gas meter can be attached such that an electric utility meter/electric outlet and a gas meter can be colocated and yet maintain a safe distance between these items, as is required by many, if not all, building codes.

In the "Background of the Invention" section of the present Application, Applicant notes that the prior art has not provided for a system that overcomes the obstacle of locating and coordinating installation of the gas utility in proximity to the other utilities. Applicant's claimed invention overcomes this problem in the prior art by including the "second bracket" limitation. The Hanson reference does not include a second bracket, and in fact does not provide for connecting a gas meter to its pedestal. The Nickola reference discloses a pedestal that supports an electric box, electric meter, a telephone box and a gas meter, however Nickola does not disclose a "second bracket" as provided for by the claims. The system disclosed in Nickola suffers from the same problems discussed in the "Background of the Invention" section of the present Application, that is, without the "second bracket" of the claimed invention the safety requirements regarding a minimum distance between electrical connections (classified as a "source of ignition") and gas meters cannot be met by the Nickola reference.

To summarize, neither Hanson nor Nickola, whether alone or in combination, disclose a "second bracket comprising a first meter mounting portion and a second elongated portion extending substantially perpendicular to and extending away from said support member to space meter mounting portion from said electric power outlet and said first bracket to a predetermined distance, said predetermined distance comprising at least a minimum safe distance" as provided for by each of the claims at issue.

Conclusion

In light of the above remarks, it is respectfully submitted that Applicant has responded in a fully satisfactory manner to all matters at issue in this Application, and that this Application is now in condition for allowance. In this regard, Applicant has made every effort to comply with the requirements set forth in the Office Action as well as the statutory requirements. Accordingly, Applicant respectfully

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requests that the Examiner allow the pending claims and pass the Application to issue. If the Examiner believes that personal communication will expedite prosecution of this application, he is invited to telephone the undersigned at (248) 433-7540.

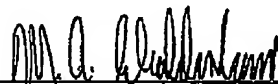
Applicant believes there are no fees due for this document, however, if any fees are due, the Patent Office is authorized to charge or refund any fee deficiency or excess to Deposit Account No. 04-1061 in the name of Dickinson Wright PLLC.

Prompt and favorable consideration of this response is respectfully requested.

Respectfully submitted,

Dickinson Wright PLLC
Attorneys for Applicant(s)

Date: December 16, 2005

By: 
Michael A. Schaldenbrand
Reg. No. 47,923

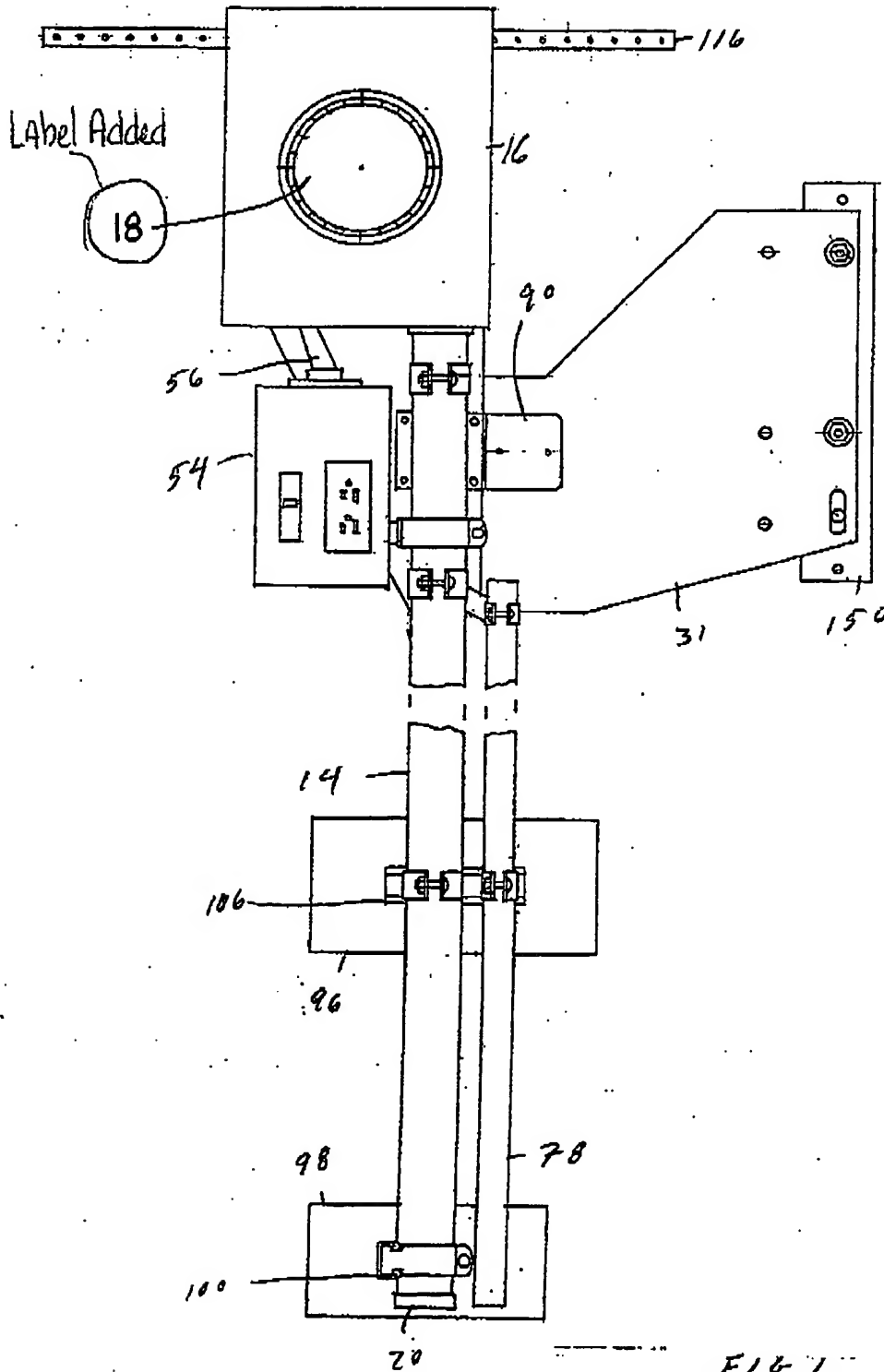
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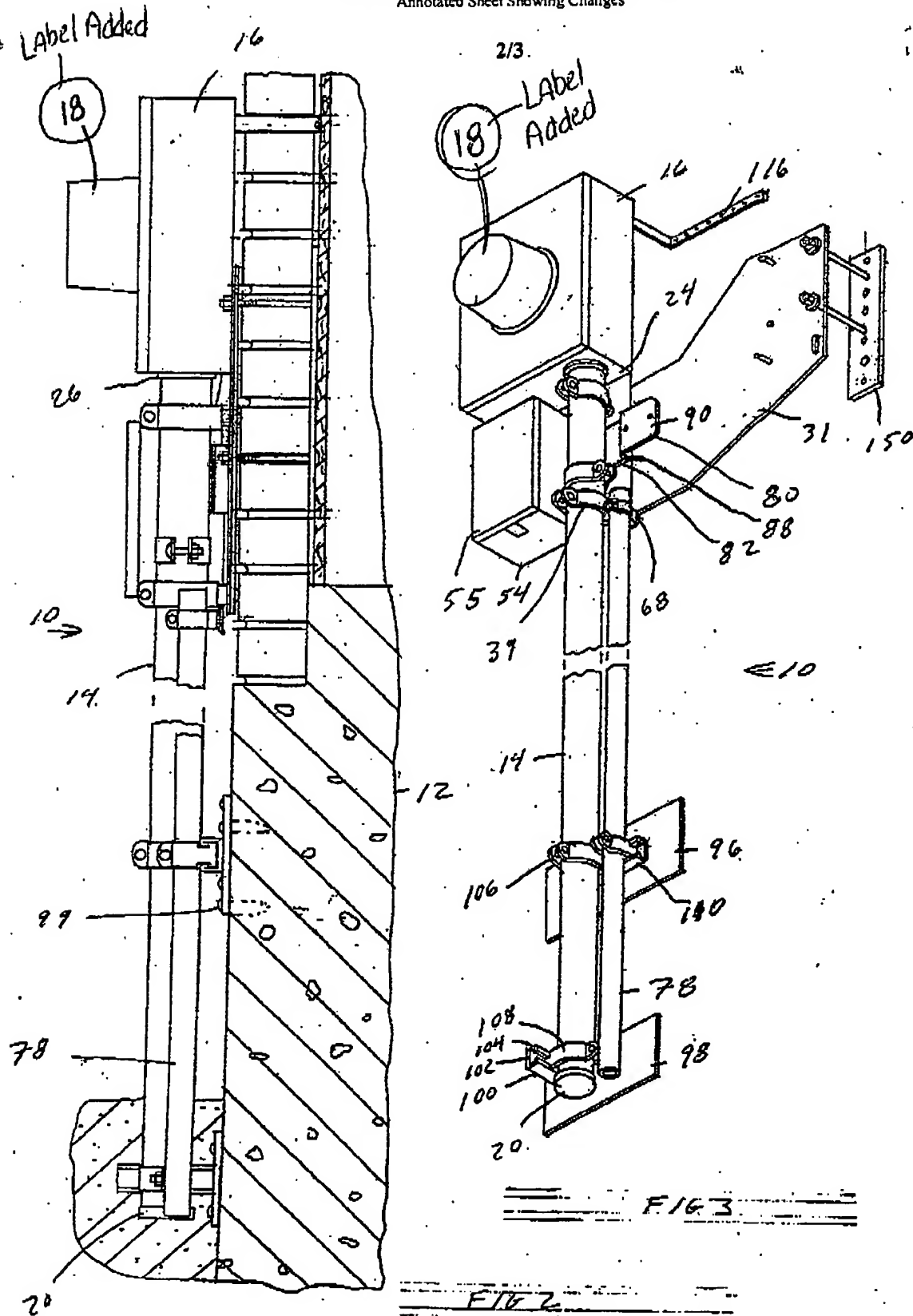
Title: Preconstruction Multiple Utility Meter Pedestal And Method Of Installation
U.S. Serial No. 10/733,206 - Filed: December 9, 2003
Attorney Docket: 48332-0001
Response to Office Action Dated September 19, 2005
Annotated Sheet Showing Changes

1/3

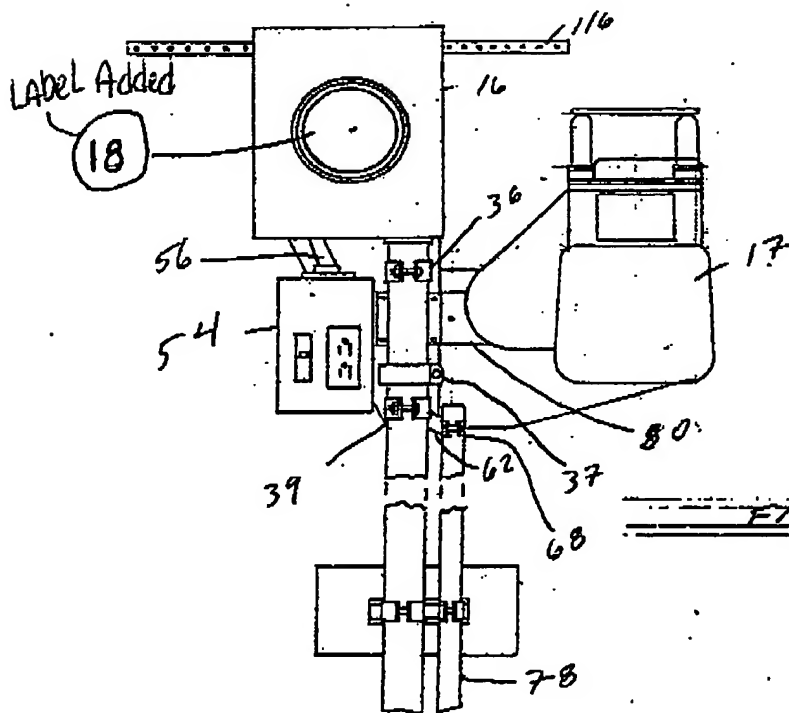
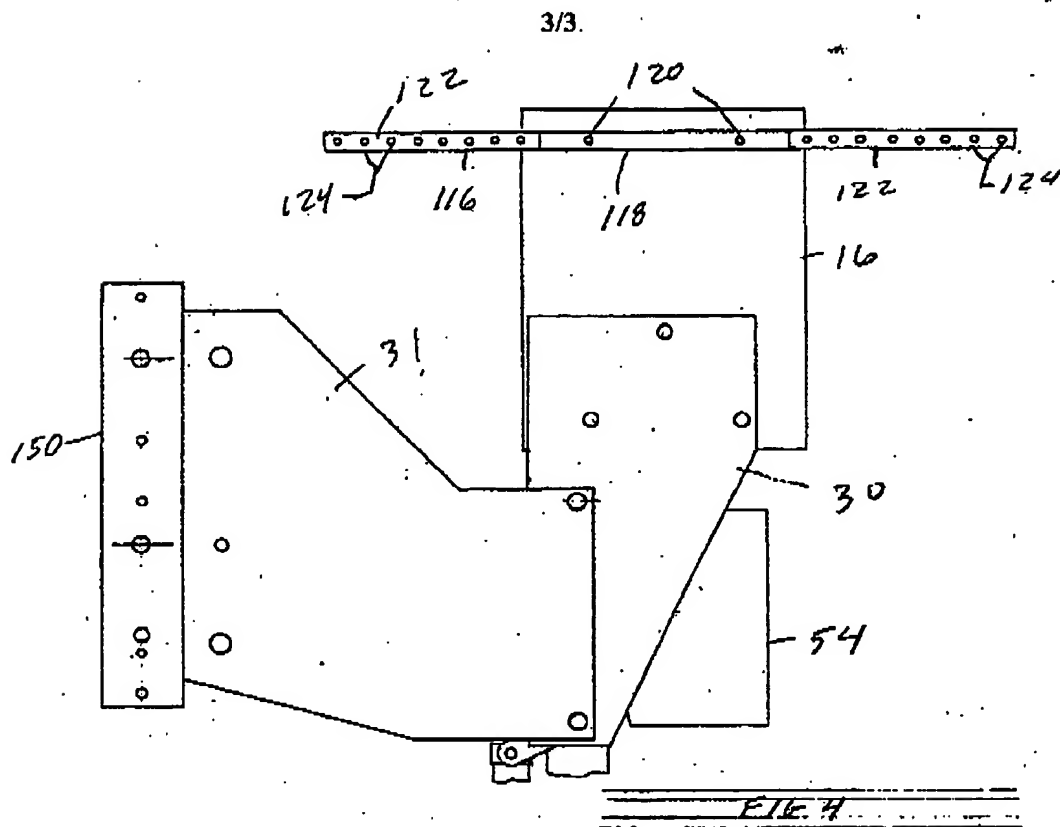


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